CANUCK LAW
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SEPTEMBER 25, 2025 BY RONNIE

Universal Ostrich Farms, Part 8: Giving Away Someone ELSE'S Land

Carmen Karin Rösner's Post
Universal Ostrich Farms · Join
Carmen Karin Rösner · Yesterday at 8:42 AM ·
Huge thanks to the Indigenous folks standing tall with Universal Ostrich Farm on unceded land. Your cease-and-desist to protect these birds as sacred medicine is powerful. You've been fighting forever, and we're with you. Keep shining! #SaveTheOstriches #IndigenousRights
961
75 comments 118 shares
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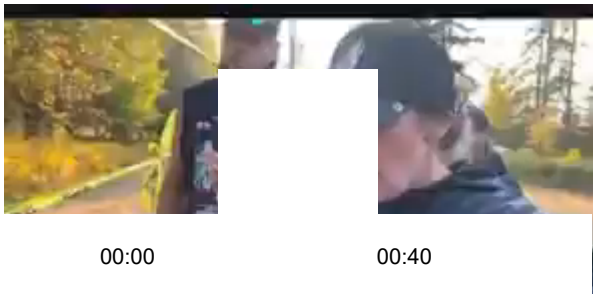
Most relevant
Brittney Kells
I hope every participant here stands up for us First Nations people when we need it next time
Relationships have to go both ways. Im glad the local bands are helping. We experienced similar government abuse when they destroyed the buffalo population my people plains Cree relied on for food so we starved.
1d Like Reply Share 104



The Supreme Court of Canada (S.C.C.) will be asked to hear a case challenging a Government decision to kill 400 or so birds in the name of public health. Worth noting, the S.C.C. declines to hear 90-95% of cases every year. While the subject matter would be fairly unique, numerically, it will be tough to sell it as "national interest".

This is of course Universal Ostrich Farms, in Edgewood, B.C.

A quick summary of recent events:

- The CFIA, or Canadian Food Inspection Agency, issued an order at the end on 2024 to cull approximately 400 ostriches from a farm in the Interior B.C. This was on the basis that the ostriches had the "H5N1 virus" based on "PCR testing".
- The farmers filed an Application for Judicial Review in Federal Court.
- The Federal Court granted a temporary stay of the culling until the case was heard.
- The Federal Court (Justice Zinn) dismissed the Application in May.
- The Federal Court of Appeal issued another stay in June, until the Appeal was heard.
- The Appeal was dismissed in August.
- The Court of Appeal refuses a further stay in September.
- Just now, the Supreme Court has issued a stay of their own, however, the CFIA will retain possession of the farm until the proceedings are concluded.

Beyond the Court drama, there's a lot going on with the ostriches that received far less attention. Most importantly, these animals aren't to be food at all. Instead, they are lab animals, supposedly infected with some manmade "antigens".

See Parts 1, 2, 3, 4, 5, 6 and 7 in the series for more information.

If nothing else, this situation has shown the cognitive dissonance of protesters. Back in 2021, the rallying cries were that "Covid is a hoax", or at worst that "It's just the flu". Now, the animals are being heralded as the anti-pharma solution to the next pandemic.

Remember: in 2020/2021, PCR testing was seen as "junk science" and completely unreliable. Many of these same protesters railed against it. But now that UOF's business model is "antibody production", suddenly PCR tests are a fairly accurate diagnostic tool. Even the Pelech Affidavit only gave mild criticism over cycle counts.

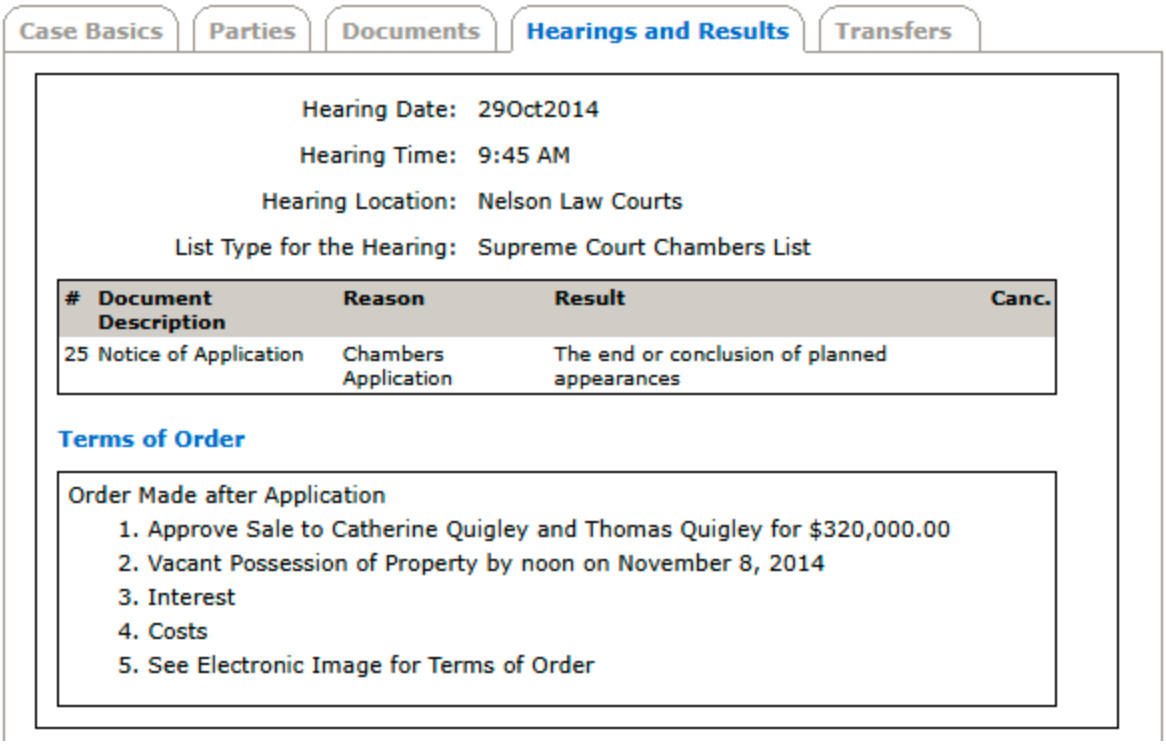
The above video was shot by Drea Humphrey (Rebel News), and posted online. It shows Katie Pasitney telling the RCMP to back off, since the farm is "on Indigenous land". The news has also been shared on places like Facebook.

Protesters here are likely many of the same ones angry that B.C. Courts have been ruling that various tribes have rights to other people's private property. They viewed it as Government overreach. But for UOF, it's apparently okay to just declare Indigenous rights. Okay….

Some of the more astute observers have pointed out that doing this may make it easier for further land grabs in the future. Is invoking UNDRIP really the best idea? This may help Espersen, Bilinski and Pasitney in the short term, but overall, could backfire on them.

But here's more the interesting part: it's not their land to give away.

2014 Farm Foreclosure To RBC => Sold To Quigleys



Case Basics | Parties | Documents | **Hearings and Results** | Transfers

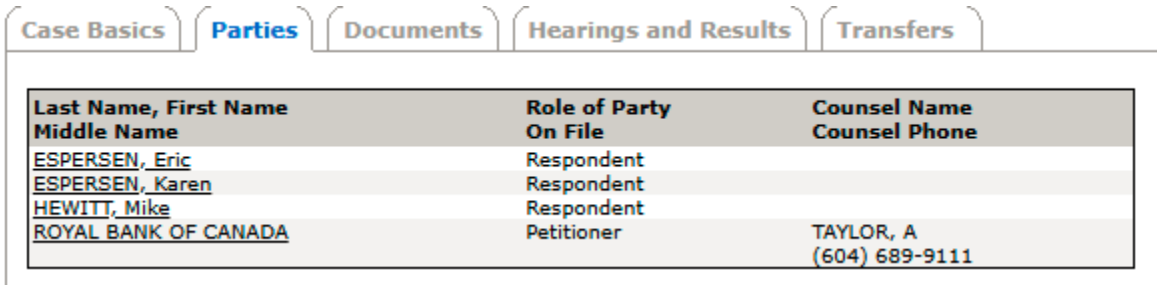
Hearing Date: 29Oct2014
Hearing Time: 9:45 AM
Hearing Location: Nelson Law Courts
List Type for the Hearing: Supreme Court Chambers List

#	Document Description	Reason	Result	Canc.
25	Notice of Application	Chambers Application	The end or conclusion of planned appearances	

Terms of Order

Order Made after Application

1. Approve Sale to Catherine Quigley and Thomas Quigley for $320,000.00
2. Vacant Possession of Property by noon on November 8, 2014
3. Interest
4. Costs
5. See Electronic Image for Terms of Order



Case Basics | **Parties** | Documents | Hearings and Results | Transfers

Last Name, First Name Middle Name	Role of Party On File	Counsel Name Counsel Phone
ESPERSEN, Eric	Respondent	
ESPERSEN, Karen	Respondent	
HEWITT, Mike	Respondent	
ROYAL BANK OF CANADA	Petitioner	TAYLOR, A (604) 689-9111

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This was covered in Part 4 of the series. Karen Espersen and David Bilinski don't actually own the land in question. Nor does Katie Pasitney.

Back in 2012, RBC filed a Petition in B.C. Supreme Court over unpaid debts. The property was eventually sold to Catherine and Thomas (Owen) Quigley, who are the owners today.

Fast forward to 2021, Esperson filed a Notice of Civil Claim against the Quigleys. There had apparently been an agreement to subdivide the land (and get her a portion of it back) that had followed through. There have been endless delays, with Trial scheduled for 2026. The Counterclaim is also worth reading.

It's anyone's guess that the Judge will do at the end. But in the meantime, the Quigleys are still the legal owners of the property. There's no indication — at least from what's readily

available — that they endorsed any of this.

In short, Espersen and Pasitney have told the police that an Indian tribe has rights to the land *that belongs to someone else.* While it's an innovative and amusing technique to use against the RCMP, it's not their property.

Imagine this scenario: you live in an apartment and pay rent. For various reasons, you are unable to meet those obligations, and the landlord tries to evict you. Is it then okay to declare that the property is on unceded land, and that the owners have no rights? That's more or less what's happening here.

There's all kinds of sympathy for the farmers, and their animals. But what about the rights of the owners?

Courts Unwilling To Delve Into Issue

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AI analysis
Universal Ostrich Farms Inc. v. Canada (Food Inspection Agency), 2025 FCA 147 (CanLII)
French Version
Date: 2025-08-21
File number: A-205-25
Citation: Universal Ostrich Farms Inc. v. Canada (Food Inspection Agency), 2025 FCA 147 (CanLII), <https://canlii.ca/t/kdzn3>, retrieved on 2025-09-25
Browse myCanLII
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Save this case
Share this case
Date: 20250821
Docket: A-205-25
Citation: 2025 FCA 147
CORAM: GLEASON J.A.
LEBLANC J.A.
HECKMAN J.A.

As for the Federal Court rulings themselves, this pretty accurately sums up the frustration that many have with the process.

> [6] In this regard, it is ***not the role of this Court to set, vary, or grant exemptions from governmental policy***. Rather, our sole role ***is to determine whether the decisions at issue in this appeal were reasonable in accordance with the deferential standard of review*** set out in the case law of the Supreme Court of Canada, this Court, and other Canadian courts. Because the Stamping-Out Policy, which underlies the two decisions, the Notice to Dispose, and the Exemption Denial, are all reasonable in accordance with that case law, we have unanimously concluded that this appeal cannot succeed.

The Federal Court of Appeal has echoed the Federal Court in ruling that it's not their job to vary Government policy, or to make exceptions. As long as the underlying decisions are "reasonable", they won't intervene. Of course, reasonable doesn't necessarily mean "correct".

Will the Supreme Court get involved, or will they refuse to hear it? Looking at the low success rate of Applications for Leave, it seems unlikely. Then again, it's a fairly novel case, with potential to impact many lives down the road. The S.C.C. just might.

While it's understandable that many have sympathy for UOF, keep in mind that they're not the only ones impacted by all of this.

For the time being, the CFIA, despite having custody of the birds, is prevented from killing them. How well will they be looked after?

COURT OF APPEAL (CHALLENGING JUSTICE ZINN'S ORDER)
(1) Ostrich APPEAL Notice Of Appeal (May, 2025)
(2) UOF APPEAL Notice Of Appearance (May, 2025)
(3) UOF FCA Appeal Denied (August, 2025)
(4) UOF FCA Motion To Stay Dismissed (September, 2025)

COURT OF APPEAL (MOTION TO STAY CULL ORDER)
(1) UOF APPEAL Motion Record To Stay Culling (June, 2025)
(2) UOF APPEAL Notice Of Motion To Stay Culling (June, 2025)
(3) UOF APPEAL Bilinski Affidavit To Stay Culling (June, 2025)
(4) UOF APPEAL Bilinski Affidavit Exhibit E June, 2025)
(5) UOF APPEAL Espersen Affidavit To Stay Culling (June, 2025)
(6) UOF APPEAL Moving Party Submissions To Stay Culling (June, 2025)

(7) UOF APPEAL Responding Motion Record Volume 1

(8) UOF APPEAL Responding Motion Record Volume 2 (June, 2025)

(9) UOF APPEAL Responding Submissions To Stay Culling (June, 2025)

(10) UOF APPEAL Order Staying Cullings Pending Appeal (June, 2025)

COURT OF APPEAL (JUSTICE BATTISTA STAYING CULL ORDER):

(1) UOF Order To Stay Culling (January, 2025)

(2) UOF Notice Of Appeal (February, 2025)

(3) UOF Notice Of Appearance (February, 2025)

(4) UOF Agreement Appeal Book Contents (March, 2025)

(5) UOF Joint Appeal Book (April, 2025)

(6) UOF Consent To Extend Time (May, 2025)

(7) UOF Notice Of Discontinuance (May, 2025)

FEDERAL COURT DOCUMENTS (CFIA):

(1) Ostrich Notice Of Application Certified (January, 2025)

(2) Ostrich Notice Of Application (January, 2025)

(3) Ostrich Notice Of Motion (January, 2025)

(4) Ostrich Bilinski Affidavit (January, 2025)

(5) Ostrich Espersen Affidavit (January, 2025)

(6) Ostrich Pelech Affidavit (January, 2025)

(7) Ostrich Jones Affidavit (January, 2025)

(8) Ostrich Responding Motion Record (January, 2025)

(9) Ostrich Responding Motion Record Expedited (February, 2025)

(10) Ostrich Motion Record Ex-Parte (February, 2025)

(11) Ostrich Exemption Notice Of Application (February, 2025)

(12) Ostrich Exemption Motion Record (February, 2025)

(13) Ostrich Ruling Of Justice Zinn (May, 2025)

MONEY:

(1) https://bcrising.ca/save-our-ostriches/

(2) https://www.gofundme.com/f/help-ostrich-farmers-fight-to-save-herd-from-avian-flu?attribution_id=sl%3A80e09934-7413-429b-acfb-2f7015cc19d3&lang=en_CA

(3) https://www.givesendgo.com/save-our-ostriches

(4) https://www.kinexus.ca/

OSTRICHES, PROPERTY RIGHTS

2 Replies to "Universal Ostrich Farms, Part 8: Giving Away Someone ELSE'S Land"

Anonymous

SEPTEMBER 25, 2025 AT 1:53 PM

Excellent reveal! We can always count on you to uncover those uncomfortable details that paint a totally different picture as to what is really going on.

I did not jump on the 'poor ostriches' bandwagon for two reasons (a) those ostriches were subjects an illegal gain-of-function research and (b) Indians have lied to us so many times in their efforts to grab land and taxpayer dollars that I simply have turned off.

Most Indians are wonderful people and I count many as friends. But even the common Indian is tired of the elite Aboriginal grifting and ruination of the relationship between Indians and non-Indians for greed.

Anonymous

SEPTEMBER 25, 2025 AT 2:11 PM

"reasonable" ? !! oh, that's rich.
as Humpty Dumpty declared, "When I use a word, it means just what I choose it to mean—neither more nor less".
When it suits a judge to be a political activist on the Bench they have no compunction about interpreting wording to suit demselves….

given the incentive (read $$$$$) I could find a dozen cases in modern Cdn jurisprudence where the policy of the govt. in plain language, was deemed "un reasonable" to the extent that that judge rewrote the law
what we have in the Dominion today, is Judicial activism to the extent that EVERYthing is now ultimately subordinate to "public policy", as understood by that guy